

De ftersen County Circuit Court
Case Files - Civil

Box

28 Folder 11

March 1871, No. 22

Elve, Catharine

vs

Elve, Christian

Divorce

Married June 1847; abuse

Catherine Klue Plff. In the Circuit
against Court of Jefferson
Christian Klue Def. County Missouri
March Term 1871

Plaintiff states that on the day of Jan 1947
in the County of Jefferson in the State of Missouri
she was lawfully married to the defendant;
that she continued to live with defendant
as his wife from and after that day and
space of said until the 23^d day of December
1870; that during all that time she faithfully
 demeaned herself, and discharged all her
duties as the wife of the defendant, and at
all times treated him with kindness and
affection; but the said defendant wholly
disregarding his duties as the husband
of the plaintiff, has been guilty of such
cruel and barbarous treatment as to endanger
the life of the plaintiff, in this to wit,
He has beaten, bruised and maltreated the
plaintiff, threw a butcher knife upon
and threatened to kill her, drove her
out of her own house in a deep
snow, and during extreme cold
weather, ^{while she was thinly clad} and refused to allow her
to remain at home, or ^{to} eat her dinner
or supper so that this plaintiff was compelled
to flee to a neighbor for protection from

the inclemency of the weather, all of this occurred on or about the said 23^d day of December aforesaid.

Plaintiff further states that at divers times prior to the day and year last aforesaid said defendant maltreated this plaintiff in various ways, that is to say compelling her to feed all the plaintiff's stock during the winter and in extreme cold weather, and in the summer to work in the field grubbing & clearing land and doing other hard work which she in her old age was wholly unable to do. He has threatened & actually did beat her with a hoop pole, and declared he would shoot her if he had a gun & that he intended to buy a pistol & kill her yet. He has struck her with his fists in the breast on the face and head, all within a few years last before the bringing of this suit and for a long time before was guilty of similar acts of cruelty towards the plaintiff.

Plaintiff further states that she is fifty seven years of age, and has no means of support and is not able to

live except upon the charity of her friends
and relatives, that said plaintiff owns
a valuable farm in said County of
Harris worth at least twelve thousand
dollars and upon which said defendant
now resides, also has in money at
least from six to ten thousand
dollars either loaned out or in Bk. &c.
also a considerable amount of other
property say one thousand dollars;
that said plaintiff and defendant have
no children, and defendant has only
one child by a former marriage who
is living away from home.

Plaintiff further states that she has no
means to enable her to prosecute this her
suit for divorce and alimony and prays
the Court to allow her a reasonable
attorney fee out of the assets of
said defendant for that purpose, and
to order the same to be paid to her
attorney in this cause.

Plaintiff avers that she is the innocent and
injured party and the defendant is the
guilty party, and therefore, in consideration
of the premises prays the Court to dissolve
the bonds of matrimony contracted between
the plaintiff and defendant as aforesaid

and to grant her a divorce from her said husband, and further prays the Court to allow her such alimony and maintenance out of the effects of said defendant as her age and domestic condition require, and also for such monthly allowance during the pendency of this suit as she may require, and is justly entitled to, and for such other and further relief as in equity and good conscience she may be entitled to.

P. Pipkin Atty for
the Plaintiff

State of Wisconsin
County of Jefferson

Personally appeared before the undersigned ^{Notary Public} ~~Judge of the Peace~~ Catherine Allen who upon oath says that the foregoing petition and the matters therein stated are true according to her best knowledge and belief and that the Complaint has not been made out of truly or by Coercion fear or restraint between the plaintiff and defendant for the mere purpose of being separated from each other but in sincerity and truth for the causes mentioned in the petition.

Subscribed & sworn to before me
this 1st day of February 1871

her
Catherine X Allen
mark

Jefferson Benedict
 Vermont March 7. 1871

Catharine Alice
 or
Christian Alice

Settled on for divorce

He stands with justice
 in up of himself. His law
 in Court somewhat

W. H. H. H.
 for 1871

Will Oak 3 28 71,
 1000, Boyce, & Co
 O, O, O, O, O, O, O, O

Philip Perkins

Notary Public

Catharine Klue Plff } In the Circuit Court of
against } Jefferson County Missouri
Christian Klue Def. } March Term 1871,

Plaintiff states that on the
day of June 1847 in the County of Jefferson
in the State of Missouri she was lawfully married
to the Defendant that she continued to live with
defendant as his wife from and after that day and
year aforesaid until the 23rd day of December 1870 that
during all that time she faithfully demeaned herself
and discharged all her duties as the wife of the De-
fendant, and at all times treated him with kindness and af-
fection but the said defendant wholly disregarding his
duties as the husband of the plaintiff has been guilty of such
cruel and barbarous treatment as to endanger the life of the
plaintiff, in this to wit: He has beaten bruised and mal-
treated the plaintiff drew a butcher knife upon and threatened
to kill her, drove her out of her own house in a deep snow
and during extreme cold weather while she was thinly clad
and refused to allow her to remain at home or to eat her dinner
or supper so that this plaintiff was compelled to flee
to a neighbor for protection from the inclemency of the
weather all of this occurred on or about the said 23rd day
of December aforesaid. Plaintiff further states that
at divers times prior to the day and year last aforesaid
said defendant maltreated this plaintiff in various
ways, that is to say compelling her to feed all the
plaintiffs stock during the winter and in extreme
cold weather and in the summer to work in the

field grubbing & clearing land and doing other hard work which she in her old age was wholly unable to do. He has threatened and actually did beat her with a hoop pole and declared he would shoot her if he had a gun & that he intended to buy a pistol & kill her yet, He has struck her with his fists in the breast on the face and head, and within a few years last before the bringing of this suit and for a long time before was guilty of similar acts of cruelty towards the plaintiff. Plaintiff further states that she is fifty seven years of age and has no means of support and is not able to live except upon the charity of her friends and relations, that said plaintiff owns a valuable farm in said county of 160 acres worth at least twelve thousand dollars and upon which said defendant now resides. Also has in money at least from six to ten thousand dollars either loaned out or in Bank, Also a considerable amount of other property say one thousand dollars, that said plaintiff and defendant have no children, and defendant has only one child by a former marriage who is living away from home, Plaintiff further states that she has no means to enable her to prosecute this her suit for divorce and alimony and

prays the Court to allow her a reasonable attorney fee out of the effects of said defendant for that purpose, and to order the same to be paid to her attorney in this cause, Plaintiff avers that she is the innocent and injured party, and the defendant is the guilty party, and therefore, in consideration of the premises prays the Court to dissolve the bonds of matrimony contracted between the plaintiff and defendant as aforesaid and to grant her a divorce from her said husband, and further prays the Court to allow her such alimony and maintenance out of the effects of said defendant as her age and destitute condition require, and also for such monthly allowance during the pendency of this suit as she may require and is justly entitled to, and for such other and further relief as in equity and good conscience she may be entitled to,

P Pipkin atty for the Plaintiff

State of Missouri }
County of Jefferson }

Personally appeared before the undersigned Notary Public Catharine Klue who upon oath that the foregoing petition and the matters therein stated are true according to her best knowledge and belief and that the Complaint has not been made out of levity or by collusion fear or restraint between the plaintiff and defendant for the mere purpose of being separated

from each other but in sincerity and truth for
the Causes mentioned in the petition

Subscribed & sworn to before me

This 1st day of February 1871,

Philip Pepton Notary Public

} Catharine ^{sen} & ^{morris} Klue

A True Copy of the original petition now on file in my
office

Witness my hand and the seal of said
Court hereunto affixed this fourth
day of February 1871,

W S Bayce Clerk
By Tho Horne Depy.

Catharine Kline Plff } In the Circuit Court
against } of Jefferson County
Christian Kline Def. } Missouri March Term 1871.

Plaintiff states that on the day of June 1847 in the County of Jefferson in the State of Missouri she was lawfully married to the defendant that she continued to live with the defendant as his wife from and after that day and year aforesaid until the 23^d day of December 1870; that during all that time she faithfully demeaned herself and discharged all her duties as the wife of the defendant, and at all times treated him with kindness and affection; but the said defendant wholly disregarding his duties as the husband of the plaintiff has been guilty of such cruel and barbarous treatment as to endanger the life of the plaintiff, in this to wit: He has beaten bruised and maltreated the plaintiff, drew a butcher knife upon and threatened to kill her, drove her out of her own house in a deep snow, and during extreme cold weather while she was thinly clad, and refused to allow her to remain at home or to eat her dinner or supper so that this plaintiff was compelled to flee to a neighbors for protection from the inclemency of the weather all of this occurred on or about the said 23rd day of December aforesaid, Plaintiff further states that at divers times prior to the day and year last aforesaid said defendant maltreated this

plaintiff in various ways, that is to say compelling her to feed all the plaintiffs stock during the winter and in extreme cold weather and in the summer to work in the field grubbing & clearing land and doing other hard work which she in her old age was wholly unable to do. He has threatened & actually did beat her with a hoop pole, and declared he would shoot her if he had a gun & that he intended to buy a pistol & kill her yet, He has struck her with his fists in the breast on the face and head, all within a few years last before the bringing of this suit and for a long time before was guilty of similar acts of cruelty towards the plaintiff. Plaintiff further states that she is fifty seven years of age and has no means of support and is not able to live except upon the charity of her friends and relatives, that said plaintiff owns a valuable farm in said County of 160 acres worth at least twelve thousand dollars and upon which said defendant now resides, also has in money at least from six to ten thousand dollars either loaned out or in Bank, also a considerable amount of other property say one thousand dollars. that said plaintiff and defendant have no children, and defendant has only one child by a former marriage who

is living away from home Plaintiff further states that she has no means to enable her to prosecute this her suit for divorce and alimony and prays the court to allow her a reasonable attorney fee out of the effects of said defendant for that purpose, and to order the same to be paid to her attorney in this cause, Plaintiff avers that she is the innocent and injured party and the defendant is the guilty party and therefore, in consideration of the premises prays the court to dissolve the bonds of matrimony contracted between the plaintiff and defendant as aforesaid and to grant her a divorce from her said husband, and further prays the court to allow her such alimony and ~~maintenance~~ maintenance out of the effects of said defendant as her age and destitute condition require, and also for such monthly allowance during the pendency of this suit as she may require and is justly entitled to, and for such other and further relief as in equity and good conscience she may be entitled to

R. Pipkin atty for the Plaintiff

State of Mississipi }
County of Jefferson } Personally appeared before the undersigned Notary Public Catharine Blue who upon oath says that the foregoing petition and the matters therein stated are true according to her best knowledge and belief and that the Complaint

has not been made out of levity, or by col=
lusion fear or restraint between the plaintiff
and defendant for the mere purpose of
being separated from each other, but in
sincerity and truth for the causes mentioned
in the petition

Subscribed & Sworn to before me } Catharine ^{her} X Klue
this 1st day of February 1871, } _{mark}
J. P. Philip Reppin Notary Public }

A true copy of the original petition
now on file in my office.

Witness my hand and the seal
of said Court hereunto affixed
this Fourth day of February 1871,

W. S. Bayce Clerk
By Tho Horne Depy

The State of Missouri, }
COUNTY OF JEFFERSON. } ss.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon *Christian Klue*

if he be found in your County, that he be and appear before the Honorable Judge of our Circuit Court, on the first day of the next term thereof, to be begun and held at the town of Hillsboro, within and for the County of Jefferson, on the *first* Monday ~~after the fourth Monday~~ of *March* next, then and there to answer unto

Catharine Klue

upon *her* original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then there this writ.



Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *fourth* day of *February* A. D. 1871

W S Boyce Clerk Circuit Court.

By

C. J. Morine Deputy.

No 22
2869

To the Jefferson County Court
at March Term 1871

Estimable Mr.

Christian Mr.

Dismissed in vacation
1871

(copy)

The State of Missouri, }
COUNTY OF JEFFERSON. } ss.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon

Christian Kue

if he be found in your County, that he be and appear before the Honorable Judge of
our Circuit Court, on the first day of the next term thereof, to be begun and held at the
town of Hillsboro, within and for the County of Jefferson, on the *Tuesday*
~~Monday~~ ~~the fourth~~ Monday of *March* next, then and there
to answer unto

Catharine Kue

upon *her* original petition, a copy whereof is hereunto annexed
and accompanies this writ, and have you then there this writ.

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto af-
fixed, at office in Hillsboro, this *fourth*

day of *February* A. D. 187*1*

W. S. Boyce

Clerk Circuit Court.

By

C. Th. Korne

Deputy.

No 22

To the Jefferson Smith Court,
March term 1871

2869

Barthine Blue

vs

Christian Blue

Original